

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33809 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- BUXAR District- Buxar

Bittu Rajak S/o Late Govind Rajak R/o Village - Budhanpurwa Sindigate
Town, P.S. - Budhanpurwa Sindigate, Dist. - Buxar. Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Raj
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the parties through
virtual mode.

2. The petitioner is apprehending his arrest in connection with Buxar (T) P.S. Case No.81 of 2026, F.I.R dated 08.02.2026, registered for the offences punishable under Sections 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, the police recovered 115.80 liters of illicit liquor alongwith two motorcycles from the spot. One person was apprehended on the spot and he disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case merely on the basis of confession made by the apprehended co-accused, namely, Rahul Kumar Yadav. It is further submitted that the seizure is said to have been prepared in gross violation of the provisions of the Section 103 of BNSS. There is no recovery from the constructive possession of the petitioner. He has no



connection with the seized liquor in question. It has lastly been submitted that the petitioner has three criminal antecedents and is ready to abide by the terms and conditions in case the privilege of anticipatory bail is extended in his favour.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submissions made by the parties, and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Special Court-I, Buxar, in connection with Buxar (T) P.S. Case No.81 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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